



Florida Power & Light Company, 215 S. Monroe St., Suite 810, Tallahassee, FL 32301

Jessica Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
(561) 691-7135 (Facsimile)

July 8, 2008

VIA HAND DELIVERY

Ms. Ann Cole
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

RECEIVED-FPSC
08 JUL -8 PM 4:29
COMMISSION
CLERK

Re: Docket Nos. 080203-EL, 080245-EL, and 080246-EL

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification for Late Filed Exhibit 1 to the deposition of Dr. Steven R. Sim. The original includes Exhibits A through D. The seven (7) copies do not include any Exhibits.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing in a separate, sealed envelope marked "Exhibit A - CONFIDENTIAL." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains the statutory justification for the request for confidential classification. Exhibit D contains the affidavit of John C Gnecco IV. Also included with this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C only, in word processing format.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Jessica A. Cano
Jessica A. Cano

Enclosures

1 + CD

1 cent records

an FPL Group company

DOCUMENT NUMBER-DATE

05858 JUL -8 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	Docket No. 080203-EI
Petition to Determine Need for West County)	
Energy Center Unit 3 Electrical Power Plant)	
)	
In re: Florida Power & Light Company's)	Docket No. 080245-EI
Petition to Determine Need for Conversion of)	
Riviera Plant)	
)	
In re: Florida Power & Light Company's)	Docket No. 080246-EI
Petition to Determine Need for Conversion of)	
Cape Canaveral Plant)	
)	
)	Filed: July 8, 2008

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, Florida Power & Light Company ("FPL") hereby requests confidential classification of Late Filed Exhibit 1 to the deposition of Dr. Steven R. Sim. In support of its request, FPL states as follows:

1. The confidential information is contained in FPL's Late Filed Exhibit 1, requested by the Staff of the Florida Public Service Commission ("Staff") during the deposition of Dr. Steven R. Sim. This confidential information is also included in Staff's "Composite Exhibits - 3, Confidential." FPL filed a Notice of Intent to Request Confidential Classification for Late Filed Exhibit 1 and 4 to the deposition of Dr. Sim on June 17, 2008. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL hereby files its Request for Confidential Classification for Late Filed Exhibit 1. Upon further review, it was determined that Late Filed Exhibit 4 did not contain proprietary, confidential business information as originally stated in the Notice of Intent.

DOCUMENT NUMBER-DATE

05858 JUL -8 8

FPSC-COMMISSION CLERK

2. The following exhibits are included with this request and made a part hereof:

a. Exhibit A consists of the documents for which FPL seeks confidential treatment. The portions of the documents in Exhibit A that FPL asserts is entitled to confidential treatment have been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Exhibit B consists of an edited version of the documents for which FPL seeks confidential treatment. The information for which FPL requests confidential treatment has been redacted in Exhibit B.

d. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought, references to the specific statutory basis or bases for the claim of confidentiality, and a reference to the affidavit in support of the requested confidential classification.

e. Exhibit D includes the affidavit of John C. Gnecco IV, in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. To the best of FPL's knowledge, the highlighted information has not been publicly disclosed. Pursuant to section 366.093, Florida Statutes, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

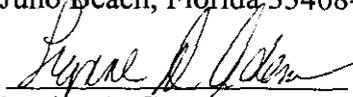
4. As the affidavit included in Exhibit D indicates, Late Filed Exhibit 1 contains contractual data, such as pricing and other terms, the disclosure of which would impair FPL's efforts to contract on favorable terms in the future, to the detriment of its customers. This information is protected by section 366.093(3)(d), Florida Statutes. Additionally, FPL is obligated not to disclose this data.

5. Upon a finding by the Commission that the material in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3), such material should not be declassified for a period of at least eighteen (18) months, and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business, pursuant to section 366.093(4), Florida Statutes.

WHEREFORE, for the above and foregoing reasons, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 8th day of July, 2008.

R. Wade Litchfield, Vice President and
Associate General Counsel
Bryan S. Anderson
Jessica A. Cano
Attorneys for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: 
Jessica A. Cano
Fla. Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, without attachments, has been furnished by hand delivery this 8th day of July, 2008, to the following:

Martha C. Brown, Senior Attorney
Florida Public Service Commission
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

By: 
for Jessica A. Cano
Fla. Bar No. 0037372

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

CONFIDENTIAL

ACKNOWLEDGEMENT

DATE: July 8, 2008

TO: Jessica Cano, Florida Power & Light Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080203 or, if filed in an undocketed matter, concerning Late Filed Exhibit 1 to Deposition of Dr. Steven R. Sim, and filed on behalf of Florida Power & Light Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
05859 JUL -88
FPSC - COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us